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## TRANSMITTAL FORM

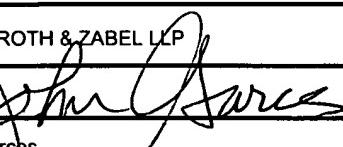
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Total Number of Pages in This Submission

Application Number	10/672,377
Filing Date	September 26, 2003
First Named Inventor	Shigeaki Fukui
Art Unit	1745
Examiner Name	Echelmeyer, Alix Elizabeth
Attorney Docket Number	848075/0055

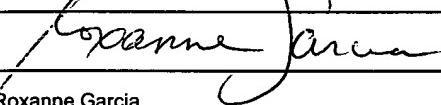
<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):  Stamped, self-addressed postcard.
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	SCHULTE ROTH & ZABEL LLP		
Signature			
Printed name	John C. Garces		
Date	January 10, 2007	Reg. No.	40,616

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Typed or printed name	Roxanne Garcia	Date	January 10, 2007

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Attorney Docket No. 848075/0055

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shigeaki Fukui      Examiner: Echelmeyer, Alix Elizabeth  
Application No.: 10/672,377      Confirmation No.: 8545  
Filed: September 26, 2003      Group Art Unit: 1745  
For: **BATTERY**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO THE NOTICE OF NON-COMPLIANCE**  
**DATED DECEMBER 19, 2006**

Sir:

This paper is in response to the Notice of Non-Compliance dated December 19, 2006, on which the shortened statutory period for response expires on January 19, 2007. Accordingly, this response is timely filed.

Applicant respectfully requests the Examiner to reconsider the rejection of the claims and to further examiner the application in view of the following amendments and remarks.

**Amendment to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 4 of this paper.